

**REMARKS**

The claim objections have been cured by making the requested correction.

With respect to the rejection of claim 1, for example, it is conceded that Andreakis does not indicate "determining characteristics of a client in order to select a selected probe routine from among at least two available probe routines to transfer from the server to the client." Mukherjee is cited for this. However, Mukherjee has nothing to do with determining the characteristics of a client whatsoever, it has nothing to do with selecting a probe routine, it has nothing to do with selecting a probe routine from at least two available probe routines, and it has nothing to do with selecting probe routines for transfer from a server to a client. Therefore, Mukherjee is, at best, remote.

Namely, Mukherjee talks about indicating presence information about the user. It does not determine any characteristics of the client. It has nothing to do with a probe routine, it has nothing to do with selecting from among probe routines, and it has nothing to do with selecting probe routines for transfer to a server. As one example, the presence information may include a find a friend application that notifies a person when a friend is nearby. How this relates to the claimed invention is difficult to discern. It is suggested that "by enabling the system to know certain characteristics of a device, such as presence information, the system can more fully customize and tailor the data transmission to suit the needs of the device." But Mukherjee has nothing to do with the presence of the client, it only has to do with the presence of the user. It does not have anything to do with determining any characteristic of a client or even selecting a probe routine. Whether or not a friend is nearby does not in any way enable one to select from among probe routines.

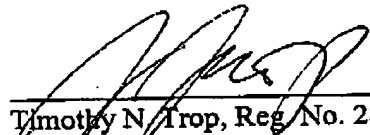
The two references cited are so disparate that it is difficult to see any reasonable rationale or basis for combining them.

Even if the two references were somehow combined, they still fail to teach selecting one of at least two probe routines. Further, they fail to use a determination of a client characteristic to make that selection. Therefore, while there is no basis for the combination even if combined, there are missing elements which preclude the rejection.

Therefore, reconsideration is requested.

Respectfully submitted,

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